RIVKIN RADLER LLP
ATTORNEYS AT LAW

WWW.RIVKINRADLER.COM

926 RXR Plaza
Uniondale, NY 11556-0926
T 516.357.3000 F 516.357.3333

BRIAN L. FELD
ASSOCIATE
(516) 357-3356
brian.feld@rivkin.com

In light of this letter, Plaintiff's opposition to Defendant's motion to dismiss shall be filed by **July 20, 2021**, *and any reply shall be filed by* **July 27, 2021.**

July 6, 2021

SO ORDERED.

July 6, 2021

VIA ECF
Honorable Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

Re: *Jeffrey Farkas, M.D. v. HCS Home Health Care Servces of New York and Omni Administrators d/b/a Leading Edge Administrators* (Civ. Action No.: 21 CV 1402 (JMF))
RR File No.: 812-16

Dear Judge Furman:

We are counsel to Omni Administrators d/b/a Leading Edge Administrators ("**LEA**") in the above-referenced matter.

On or about May 18, 2021, we filed a motion to dismiss Plaintiff's Complaint in this matter ("**Motion**"). (ECF No. 15). The Court thereafter ordered Plaintiff to either file an Amended Complaint ("**AC**") by May 28, 2021 or to oppose the Motion by June 4, 2021. (ECF No. 14). Plaintiff filed the AC on May 25, 2021. (ECF No. 19). Other than adding HCS Home Health Services of New York ("**HCS**") as a Defendant and removing a paragraph addressing venue, the Complaint and AC are identical.

Consistent with the Court's Order extending *nunc pro tunc* LEA's time to answer or otherwise move (ECF No. 24), LEA hereby notifies the Court that it contends that the grounds upon which its Motion should be granted have not been remedied by the AC. Accordingly, rather than re-file an identical copy of the Motion, LEA respectfully relies on its previously filed motion to dismiss. All arguments set forth in the Motion are as applicable to the AC as they were to the Complaint.

RIVKIN RADLER LLP

July 6, 2021
Page 2

       We apologize to the Court for our previous late request (*see,* ECF No. 24) and thank the Court for its accommodation.

                       Respectfully submitted,

                       RIVKIN RADLER LLP

                       Brian L. Feld, Esq.

cc: All counsel of record (via ECF)